

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

This document relates to:  
*Cleveland Bakers & Teamsters Health  
& Welfare Fund, et al. v. Purdue Pharma,  
L.P., et al.*  
Case No. 1:18-op-45432-DAP

MDL No. 2804

Hon. Dan Aaron Polster

**DEFENDANTS AMERISOURCEBERGEN DRUG CORP., CARDINAL HEALTH, INC.,  
AND McKESSON CORP.'S MOTION TO DISMISS (FED. R. CIV. P. 12(b)(6))**

Pursuant to Case Management Orders One (Dkt. 232) and Four (Dkt. 485), Defendants AmerisourceBergen Drug Corporation, Cardinal Health, Inc., and McKesson Corporation (collectively, “Distributors”) move to dismiss the Amended Complaint in the above-referenced action with prejudice on the basis that it fails to state a claim upon which relief can be granted, for the reasons given in the accompanying memorandum of law, which is incorporated herein.

Pursuant to Case Management Order One Sections 2.g and 2.j, Distributors raise “only those issues they believe are most critical” and do not waive and hereby preserve any defenses not addressed in the motion and accompanying memorandum of law and reserve their rights “to file an individual motion to dismiss” at the appropriate time.

Dated: July 23, 2018

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, Geoffrey E. Hobart, hereby certify that the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ Geoffrey E. Hobart  
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